

IN RE: GWENDOLYN BREWER and) OEIG Case #13-01358
LARRY GIRTLEY)

applicants who were not recorded as having visited the West Suburban Office and the vast majority of whose applications were also lacking identifying information, including:

- 41 applications processed by Mr. Girtley;
- 22 applications processed by DHS Caseworker Gwendolyn Brewer, who has since been promoted to a supervisory position; and
- 30 applications processed by 13 other West Suburban DHS caseworkers.

Of these questionable applications, the OEIG's investigation found that at least 15 of the applications were submitted in the names of applicants who worked for the Chicago Transit Authority (CTA) and some of the applications included false information. From interviews of CTA employees, the OEIG learned that many of these applicants used one of two CTA colleagues, including Ms. Brewer's [relative], [CTA Employee 1], and [CTA Employee 2], to facilitate the processing of their applications. Some of the CTA applicants stated that they provided payment or other consideration to [CTA Employee 1] and [CTA Employee 2] in connection with the processing of the D-SNAP applications. After learning of these payments, the OEIG made a criminal referral, on October 15, 2015, to the Illinois Attorney General's office.² The Attorney General's office asked the OEIG to suspend its investigation pending the conclusion of the criminal investigation. [Sentence redacted.]

The OEIG then resumed its investigation. Although the OEIG was unable to find evidence that any DHS caseworkers received money for processing any of these questionable applications, the OEIG determined that Mr. Girtley and Ms. Brewer issued approximately \$48,000 in D-SNAP benefits in violation of DHS policies.

II. BACKGROUND

A. 2013 Illinois Disaster Supplemental Nutrition Assistance Program

In April 2013, parts of 33 Illinois counties suffered flooding, which caused those areas to be declared federal disaster areas.³ Subsequently, the federal government authorized DHS to offer D-SNAP benefits to residents of the affected areas who suffered a loss during the disaster period of April 16, 2013 to May 15, 2013.⁴ This D-SNAP benefit program had an application period of June 17 through June 21, 2013.⁵

B. Applicable DHS Policies And The D-SNAP Benefits Application Process

² See 5 ILCS 430/20-80, 20-95(d).

³ See DHS Disaster SNAP (DSNAP) Policy Memorandum, June 12, 2013 (on file with the OEIG).

⁴ *Id.*

⁵ See Press Release, Illinois Department of Human Services, *Governor Quinn Announces Food Assistance Now Available for 33 Counties Impacted by Flooding*, June 14, 2013 (on file with the OEIG). DHS later extended the application period to include June 24, 2013.

According to DHS' policy for the June 2013 D-SNAP issuance,⁶ DHS required that applicants "complete and sign" the D-SNAP application "in person at the [DHS office] servicing the county where they live" and that applicants must complete a "face-to-face" interview with a DHS caseworker.⁷ "The interview and eligibility determination are made at the time they are applying for the DSNAP," the DHS policy stated.⁸ DHS policy specifically instructed DHS staff "not [to] distribute blank application forms. Application forms cannot be faxed or mailed at a later date."⁹

DHS policy further set forth the application process. In order to have been eligible for D-SNAP benefits in June 2013, an applicant had to, among other things: be an Illinois resident who lived within the affected area at the time of the disaster; have an intent to purchase food and prepare meals during the benefit period; have adjusted income within special limits set for the program based on household size; and claim disaster-related damage, destruction, or unreimbursed disaster-related expenses. The June 2013 D-SNAP application contained fields for the applicant's: name, residence, income, assets, other information of the applicant and the applicant's household members, and amounts of disaster-caused expenses paid during the disaster period. The June 2013 D-SNAP application was signed "under the penalty of perjury" and with the understanding that "if I have given false information or intentionally failed to disclose information, I may be subject to prosecution, criminal, civil, or both."

Under DHS policy,¹⁰ applicants met with a DHS caseworker, in order for the caseworker to review the D-SNAP application for completeness; verify the applicant's identity and residence in the disaster area during the disaster period;¹¹ and determine D-SNAP benefits eligibility and the amount of benefits to be awarded to an applicant. The amount of benefits largely depended on the applicant's adjusted income and household size during the disaster period. The benefits eligibility calculation was completed using a D-SNAP Worksheet that the caseworker signed, thus creating a record of who processed a particular D-SNAP application.

At the West Suburban Office, caseworkers were also told to use the applicant interview as an opportunity to root out fraudulent applications. Specifically, caseworkers were instructed that "[c]ases that appear to be fraudulent, for example, customer claims no income but does not receive any assistance or snap [sic], bring those to your supervisor for further review before disposing of them."¹²

Once approved, D-SNAP applicants then received a Link card, which is a form of debit card that contained the value of D-SNAP benefits awarded to the applicant. The number of the Link card issued to the applicant was noted on the D-SNAP Worksheet that the applicant also signed, acknowledging receipt of the Link card.

⁶ See DHS Disaster SNAP (DSNAP) Policy Memorandum, June 12, 2013 (on file with the OEIG).

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ An applicant's driver's license, among others, served as acceptable proof of identity and residency. DHS staff usually copied the applicant's proof of identity for the applicant's DHS file.

¹² [Redacted].

III. INVESTIGATION

A. Interviews Of [DHS Administrator]

The OEIG interviewed [DHS Administrator] on August 19, 2013 and January 13, 2014. [Two sentences containing identifying information redacted.]

With regard to the 2013 D-SNAP benefits, [DHS Administrator] stated that, prior to the start date of the June 2013 D-SNAP, he communicated instructions about the program to his staff via emails,¹³ which he followed with a training session. Investigators reviewed a West Suburban Office “DSNAP Training Attendance Sheet”¹⁴ for the training that [DHS Administrator] conducted on June 13, 2013, which was signed by both Mr. Girtley and Ms. Brewer. According to [DHS Administrator], one of the instructions was that Illinois residents could only apply for D-SNAP benefits *in-person* at a designated DHS facility.

In addition, [DHS Administrator] said that customers eligible for benefits of \$1,000 or more had to be sent to a supervisor for review and that applications of family members of West Suburban Office employees also had to be brought to the attention of a supervisor.

When asked to describe the 2013 D-SNAP application process at the West Suburban Office, [DHS Administrator] said that D-SNAP applicants lined up outside of the West Suburban Office. [DHS Administrator] stated that while in line, applicants received a numbered, color-coded ticket and were then called into the front entrance of the West Suburban Office in small groups, by number.

According to [DHS Administrator], once an applicant entered the West Suburban Office, an office receptionist provided the applicant with a blank D-SNAP application on which the receptionist was required to record his or her initials and the time the application was given to the applicant. In addition, [DHS Administrator] said, a receptionist entered each applicant’s name into the DHS visitor information system, or visitor log, which recorded the applicant’s name, date and time of visit, and the DHS caseworker with whom the applicant met. [DHS Administrator] said that the visitor log created a queue of applicants for each West Suburban Office caseworker and caseworkers used the visitor log in order to determine which applicant to service next.

When it was the applicant’s turn, a caseworker would bring the applicant to the caseworker’s cube to interview the applicant and assist in filling out the D-SNAP application, if

¹³ Investigators obtained and reviewed an email, dated June 12, 2013, from [DHS Administrator] to West Suburban Office staff, including Mr. Girtley and Ms. Brewer, directing staff to locate and review DHS D-SNAP policies for the June 2013 D-SNAP benefits issuance on DHS’ intranet, in preparation for an in-person training to be conducted by [DHS Administrator].

¹⁴ The date as it appears on the “DSNAP Training Attendance Sheet” is “6/13/14.” However, in his interviews, [DHS Administrator] confirmed that he conducted the training in June 2013. In addition, the West Suburban Office has not issued D-SNAP benefits since June 2013. Thus, the date on the attendance sheet likely resulted from a typographical error.

necessary. Then, [DHS Administrator] said, a caseworker completed the D-SNAP Worksheet, approved or denied the D-SNAP benefits, and placed the completed D-SNAP application in a central stack for subsequent data entry processing. [DHS Administrator] said that a caseworker then escorted the applicant to the Link card counter, and left the D-SNAP Worksheet with DHS staff at the counter. [DHS Administrator] said that the applicant signed the bottom of the D-SNAP Worksheet, received a Link card, and was escorted out of the back door of the West Suburban Office. According to [DHS Administrator], even when an applicant had a Link card in hand, that Link card was not immediately available for use. He said that DHS had to activate a Link card before it could be used and applicants were told that process could take several days.

According to [DHS Administrator], DHS staff identified 12 D-SNAP applications that had some inconsistencies. The 12 applications did not contain a receptionist's initials or time;¹⁵ appeared, with one exception, to have been completed in the same handwriting; were dated June 21, 2013, except for one D-SNAP application which was dated June 20, 2013; and the D-SNAP Worksheets associated with all 12 applications bore Mr. Girtley's initials as the caseworker who handled the applications.¹⁶ He also said that the names of the 12 applicants were not listed in the visitor log. [DHS Administrator] explained that after identifying the 12 suspicious applications, DHS ensured that no benefits were expended in connection with these applications. Additionally, [DHS Administrator] said that there were no complaints received afterwards from any of the 12 applicants regarding the lack of receipt of benefits.

B. OEIG's Review Of D-SNAP Applications

In light of the fact that DHS staff identified 12 D-SNAP applications that may have been processed in violation of DHS policy by the West Suburban Office, OEIG investigators undertook a systematic review of all D-SNAP applications processed by the West Suburban Office during the June 2013 D-SNAP benefits issuance period. This included approximately 8,000 applications. Investigators first identified all the D-SNAP applications which did not contain the time and/or a person's initials that should have been recorded by a receptionist. Investigators also identified every application that came with a D-SNAP Worksheet with Mr. Girtley's handwritten initials. OEIG investigators then compared these applications with the visitor logs to determine whether those applicants were recorded as having visited the West Suburban Office. As a result of this review, investigators found:

- 41 (additional to the original 12 found by DHS) applications that appear to have been processed by Mr. Girtley for applicants whose names did not appear in the visitor log and most of which did not contain the time or a person's initials;¹⁷
- 22 applications that appear to have been processed by Ms. Brewer for applicants whose names did not appear in the visitor log and which did not contain the time or a person's initials; and

¹⁵ OEIG investigators later confirmed that one of the 12 applications did contain a notation of time.

¹⁶ [DHS Administrator] stated that Mr. Girtley was not at work on June 17, 2013, the first day of the program, but did work June 18 through June 24 of 2013.

¹⁷ Of these 41 applications, 14 had the time written on the application and an additional two contained the time and the handwritten name "Girtley."

- 30 applications that appear to have been processed by 13 caseworkers¹⁸ other than Mr. Girtley or Ms. Brewer for applicants whose names did not appear in the visitor log and which did not contain the time or a person's initials.

In reviewing the 105 applications that appeared to have been processed in violation of DHS policy, the OEIG found a number of issues, including the following:

- approximately 59 were approved by various caseworkers for a D-SNAP benefit amount of \$952, just below the \$1,000 supervisory review benefit threshold;¹⁹ and
- the signatures of the applicants on many of the D-SNAP Worksheets acknowledging the receipt of Link cards either were missing or differed substantially from the signatures on the D-SNAP applications and government identifications, such as a driver's license.

The OEIG continued to analyze the 105 applications to determine the accuracy of the information on the applications.

C. D-SNAP Applicants Who Are Employed By The CTA

In reviewing the 105 questionable D-SNAP applications, OEIG investigators found that 14 applications²⁰ were submitted in the names of current CTA employees.²¹ Of those 15 CTA employee applications, nine accurately represented the CTA as their employer on their D-SNAP applications, while the other six did not disclose their CTA employment on their D-SNAP applications, instead leaving the name of their employer blank. Of the 14 CTA employee applicants, four were processed by Mr. Girtley and nine by Ms. Brewer. A number of these CTA employee applications contained false information, as discussed below:

[CTA Employee 1's] Application: ([relative] of Ms. Brewer)

- listed four household members other than the applicant, but did not include [CTA Employee 1's spouse], or her CTA income;
- listed his residence in Lansing, Illinois, with the same address listed on his wife's ([CTA Employee 3's]) separate application;
- left employment information blank, and did not disclose CTA employment;

¹⁸ The OEIG focused on the conduct of Mr. Girtley and Ms. Brewer in this investigation and did not interview the 13 other caseworkers who may have improperly processed some D-SNAP applications because the OEIG only found a few examples of potentially improperly processed D-SNAP applications for each of those caseworkers, compared to the large number of applications that Mr. Girtley and Ms. Brewer appeared to have processed improperly.

¹⁹ Over 80 percent of the questionable applications processed by Mr. Girtley were in the amount of \$952.

²⁰ An additional application was in the name of CTA employee Delores McClendon. This application was addressed in OEIG Case No. 15-02091.

²¹ The 14 employees included: [CTA Employee 1], [CTA Employee 3], [CTA Employee 4], [CTA Employee 5], [CTA Employee 6], [CTA Employee 7], [CTA Employee 8], [CTA Employee 9], [CTA Employee 10], [CTA Employee 11], [CTA Employee 12], [CTA Employee 13], [CTA Employee 14], and [CTA Employee 15]. During the course of the OEIG's investigation, in June 2015, [CTA Employee 15] left CTA employment.

- listed his net income received during the disaster period as \$1,500, when, in fact, his pay records show his actual net income received during the disaster period to be approximately \$3,200;
- stated that he did not have any money in a checking account, or a savings account, when, in fact, according to his OEIG interview statements, he had at least some funds in both a checking account and a savings account; and
- resulted in the issuance of \$793 in D-SNAP benefits.

[CTA Employee 3's] Application: (wife of [CTA Employee 1])²²

- listed four household members other than the applicant, but did not include her husband, [CTA Employee 1], or his CTA income;
- listed her residence in Lansing, Illinois, with the same address listed on her husband's ([CTA Employee 1's]) separate application;
- left employment information blank, and did not disclose CTA employment;
- listed her net income received during the disaster period as \$1,500, when, in fact, her pay records show her actual net income received during the disaster period to be approximately \$2,700; and
- resulted in the issuance of \$793 in D-SNAP benefits.

[CTA Employee 4's] Application:

- listed her net income received during the disaster period as \$1,760, when, in fact, her pay records show her actual net income received during the disaster period to be approximately \$7,900. [CTA Employee 4] said during her OEIG interview that she incorrectly based the net pay amount on an estimate of what she earned during a single pay period, not including overtime;
- listed two household members on her D-SNAP application who did not live with her during the disaster period, both of whom [CTA Employee 4] admitted incorrectly including;
- listed that she did not have any money in a checking account, or a savings account, when, in fact, according to her OEIG interview statements, she had money in both a checking account and a savings account;
- listed that she spent \$150 to move property to safety, but [CTA Employee 4] admitted she did not actually spend money on moving property to safety; and
- resulted in the issuance of \$952 in D-SNAP benefits.

[CTA Employee 5's] Application:

²² [CTA Employee 3's] D-SNAP application was in her maiden name "[redacted]," but the driver's license provided with the application said [CTA Employee 3]. OEIG investigators noted that [CTA Employee 3's] driver's license address was identical to the address on the D-SNAP application and driver's license of [CTA Employee 1]. OEIG investigators then obtained from the CTA a copy of the marriage license of [CTA Employee 1] and [CTA Employee 3] and documents on which [CTA Employee 1] listed his "wife," [CTA Employee 3], as his retirement plan beneficiary.

- listed his net income received during the disaster period as \$15,000, which DHS processed as \$1,500, when, in fact, his pay records show his actual net income received during the disaster period to be approximately \$3,300;
- listed that he spent \$1,800 on temporary shelter costs, but [CTA Employee 5] admitted that he did not incur these costs; and
- resulted in the issuance of \$793 in D-SNAP benefits.

[CTA Employee 6's] Application:

- listed her net income received during the disaster period as \$1,200, when, in fact, her pay records show her actual net income received during the disaster period to be approximately \$5,100;
- listed three household members that [CTA Employee 6] said were individuals not known to her, were not added by her to the application, and were not completed in her handwriting;
- listed over \$3,400 in various disaster-caused expenses that [CTA Employee 6] said were not added to the application by her; and
- resulted in the issuance of \$952 in D-SNAP benefits.

[CTA Employee 7's] Application:

- claimed flood damage even though [CTA Employee 7] admitted in her OEIG interview that she did not have any flood damage during the disaster period;
- listed her net income received during the disaster period as \$2,600, when, in fact, her pay records show her actual net income received during the disaster period to be approximately \$3,600;
- listed three household members who [CTA Employee 7] admitted that she incorrectly included as living with her during the disaster period;
- listed nearly \$3,400 in various disaster-caused expenses that [CTA Employee 7] said were not added to the application by her; and
- resulted in a DHS caseworker approving \$952 in D-SNAP benefits.

[CTA Employee 8's] Application:

- listed his net income received during the disaster period as \$2,050, when, in fact, his pay records show his actual net income received during the disaster period to be approximately \$3,100; and
- resulted in the issuance of \$668 in D-SNAP benefits.

D. Interviews Of D-SNAP Applicants Employed By The CTA

In order to determine whether there was any connection between the CTA employee applicants and the DHS employees processing these applications, OEIG investigators interviewed five of the CTA employees whose names did not appear on the West Suburban Office visitor log, and, with one exception, whose D-SNAP applications were not appropriately

marked. The OEIG interviewed: [CTA Employee 8], [CTA Employee 4], [CTA Employee 7], [CTA Employee 6], and [CTA Employee 5]. CTA timekeeping records show that on the days these employees purportedly applied for D-SNAP benefits, each, with the exception of [CTA Employee 6], was at work in and around the City of Chicago from prior to the 7:00 a.m. opening of the West Suburban Office until the end of their workday, between 1:00 and 2:30 p.m.

In their OEIG interviews, all five of these CTA employee applicants admitted that they did not go to a DHS facility, including the West Suburban Office, to apply for D-SNAP benefits, as further explained below.

1. D-SNAP Applications Funneled Through [CTA Employee 1]

[CTA Employee 8], [CTA Employee 4], and [CTA Employee 5] said that they applied for D-SNAP benefits and received Link cards through a CTA coworker, [CTA Employee 1], rather than applying in-person at a DHS facility. According to these CTA employees, [CTA Employee 1] provided them with blank D-SNAP applications which they completed, signed, and provided back to [CTA Employee 1] and [CTA Employee 1] later delivered Link cards to them. According to DHS records, the applications of [CTA Employee 8] and [CTA Employee 4] were processed by Ms. Brewer, and the application of [CTA Employee 5] was processed by DHS Caseworker [DHS Employee 1].

When asked whether they provided the CTA intermediaries cash or other considerations in exchange for their assistance with the D-SNAP applications, they said the following:

- [CTA Employee 8] said that while [CTA Employee 1] did not ask him for money, he gave [CTA Employee 1] approximately \$40 in cash upon receiving a Link card from [CTA Employee 1].
- [CTA Employee 4] said that while she did not provide [CTA Employee 1] with any money in consideration for receiving a Link card, [CTA Employee 1] told her that he was charging between \$50 and \$100 for assisting individuals in obtaining D-SNAP Link cards and that [CTA Employee 4's] brother gave [CTA Employee 1] \$50 in connection with the brother's D-SNAP application.
- [CTA Employee 5] said that he voluntarily gave [CTA Employee 1] a "tip" of \$100 when he gave [CTA Employee 1] his completed D-SNAP application for processing.

2. D-SNAP Applications Funneled Through [CTA Employee 2]

[CTA Employee 7] and [CTA Employee 6] said that they applied for D-SNAP benefits through a CTA coworker, [CTA Employee 2],²³ rather than applying in-person at a DHS facility. According to these CTA employees, [CTA Employee 2] provided them with a blank D-SNAP application, then accepted their partially completed and signed D-SNAP applications and copies

²³ [CTA Employee 6] described the CTA colleague who helped expedite her D-SNAP application as "[redacted]." OEIG investigators later confirmed that "[redacted]" referred to [CTA Employee 2].

of their driver's licenses. [CTA Employee 6] said that she later received a Link card from [CTA Employee 2], while [CTA Employee 7] said that [CTA Employee 2] told her that her DHS contact was having "some issues" processing the D-SNAP applications and [CTA Employee 7] then told [CTA Employee 2] not to pursue the application further. According to DHS records, the applications of [CTA Employee 7] and [CTA Employee 6] were processed by Mr. Girtley and Link cards were created as a result of both applications. These records show, however, that no funds were added to [CTA Employee 7's] Link card and that no funds on [CTA Employee 7's] Link card were expended.

[CTA Employee 6] said that upon her receipt of the Link card, [CTA Employee 2] told her that she ([CTA Employee 2]) was going to take \$150 off the Link card and the two then went to Nicholas Quality Meats, where [CTA Employee 6] used the Link card to purchase \$150 of, presumably, meat on [CTA Employee 2's] behalf.²⁴

E. OEIG's Criminal Referral To The Attorney General's Office

After learning of the money and/or consideration provided to CTA employees in connection with the processing of D-SNAP applications, the OEIG made a criminal referral, on October 15, 2015, to the Illinois Attorney General's office.²⁵ The Attorney General's office asked the OEIG to suspend its investigation pending the conclusion of a criminal investigation. [Sentence redacted]. At that time, the OEIG resumed its investigation and interviewed [CTA Employee 1], [CTA Employee 2], Ms. Brewer, and Mr. Girtley. These interviews are discussed below.

F. Interview Of CTA Rail Janitor [CTA Employee 1]

During his March 25, 2016 interview with OEIG investigators, [CTA Employee 1] said that he has been employed continuously by the CTA since December 6, 1999, and works in CTA's customer facility maintenance department as a rail janitor.

[CTA Employee 1] said that in May and June of 2013, his Lansing, Illinois residence flooded and he suffered a number of disaster-caused expenses. When asked about the processing of his own June 2013 D-SNAP application, [CTA Employee 1] said that he picked up a blank D-SNAP application from the former Oak Park residence of his [relative], DHS Caseworker Gwendolyn Brewer. [CTA Employee 1] said that he brought a completed and signed D-SNAP application back to his [relative's] home and about a week later returned to her home and received a Link card. According to [CTA Employee 1], he gave the Link card to his wife, [CTA Employee 3], and she used the Link card to buy groceries.

When asked about his role in assisting other CTA employees in collecting D-SNAP benefits in June 2013, [CTA Employee 1] said that he told his [relative] that some of his colleagues suffered flood damage, but could not go stand in line at a DHS facility. [CTA Employee 1] said that his [relative] provided him with blank D-SNAP applications at her

²⁴ OEIG investigators reviewed the history of [CTA Employee 6's] D-SNAP Link card usage and confirmed that the Link card was used to pay for a \$150 purchase at Nicholas Quality Meats.

²⁵ See 5 ILCS 430/20-80, 20-95(d).

residence and he distributed these applications to at least five CTA colleagues, including [CTA Employee 8], [CTA Employee 4],²⁶ and [CTA Employee 5]. [CTA Employee 1] said that with the exception of [CTA Employee 4], who handed him loose paperwork, his other four CTA colleagues returned their D-SNAP applications to him in sealed envelopes. [CTA Employee 1] said that he delivered the five D-SNAP applications to his [relative's] home and later returned to pick up Link cards for his five colleagues. [CTA Employee 1] said that he delivered the Link cards provided to him by his [relative] to his five CTA colleagues, including [CTA Employee 8], [CTA Employee 4], and [CTA Employee 5]. [CTA Employee 1] vehemently denied receiving cash or other compensation for assisting his CTA colleagues with the D-SNAP benefits.

When asked about his wife, [CTA Employee 3], [CTA Employee 1] said that the two were married in October 2009, had lived continuously together for approximately nine years, and for four or five years prior to March 2016 (including the disaster period) lived continuously together at the Lansing, Illinois residence included on his D-SNAP application. When investigators asked [CTA Employee 1] why he did not list his wife as a member of his household on his D-SNAP application and presented his wife's separate D-SNAP application, which listed the same Lansing, Illinois address as [CTA Employee 1] did on his D-SNAP application, [CTA Employee 1] said that [CTA Employee 3] also owns a residence around the corner from the residence listed on both of their D-SNAP applications and periodically stays there.²⁷ When asked whether he was separated from [CTA Employee 3] in April and May of 2013, [CTA Employee 1] said that the two were having some problems. However, [CTA Employee 1] said that the majority of the time between April 16, 2013 and May 15, 2013, [CTA Employee 1] and [CTA Employee 3] were living in the same Lansing, Illinois residence listed on both of their D-SNAP applications and that they should not both be getting D-SNAP benefits for the same house.

G. Interview Of CTA Bus Controller [CTA Employee 2]

During her April 5, 2016 OEIG interview, [CTA Employee 2] said that she became a full-time CTA employee in 1997, and has been employed by the CTA through the present. [CTA Employee 2] said that for approximately 10 years she had been employed as a bus controller.

[CTA Employee 2] disclosed that she is a member of a social club for ladies and, in 2013, a fellow club member told [CTA Employee 2] that the club member's father, known as Tyrone or "Ty," was assisting individuals so that they would not have to wait in line to receive D-SNAP benefits. [CTA Employee 2] said that she then believed that Ty worked for DHS, but Ty later told her that he had a friend who worked for DHS. At the same time as she learned about Ty, [CTA Employee 2] said that some coworkers mentioned to her that they had attempted to apply

²⁶ During the interview, [CTA Employee 1] referred to [CTA Employee 4] by her maiden name, [redacted].

²⁷ [CTA Employee 1] claimed that prior to the OEIG interview he did not know that his wife filled out a separate D-SNAP application or obtained a second Link card. [CTA Employee 1] also said that he did not know why [CTA Employee 3] used her maiden name on her D-SNAP application. [CTA Employee 1] did say that since the two D-SNAP applications list the same Lansing, Illinois residence, and also contain slightly different amounts of disaster-caused expenses, that the disaster-caused expense amount on one of the applications was not accurate.

for D-SNAP benefits, but had failed to do so because of the long lines and wait times at various DHS facilities.

[CTA Employee 2] said that she met with Ty on a street near her house, picked up blank D-SNAP applications, and offered her and Ty's help with obtaining D-SNAP benefits to approximately two of her CTA colleagues. [CTA Employee 2] said that when she gave blank D-SNAP applications to the two CTA colleagues, one of them then distributed blank applications to approximately five additional CTA employees, including to [CTA Employee 7] and [CTA Employee 6]. [CTA Employee 2] said that Ty had told her not to worry about filling out an item on the D-SNAP application if the applicant was not sure about that item. [CTA Employee 2] said that she and the CTA colleague who further distributed the D-SNAP applications met with Ty one or two more times – to give him approximately seven completed D-SNAP applications, including those of [CTA Employee 7] and [CTA Employee 6], in a loose paper stack, and to pick up Link cards from Ty.²⁸ [CTA Employee 2] said that not all of the CTA colleagues who she assisted received a Link card back from Ty, but that [CTA Employee 6] did.

According to [CTA Employee 2], once her CTA colleague distributed the blank applications to the five additional CTA employees, Ty agreed to process those applications, but told her that he expected to receive payment, less than \$100 per applicant, if benefits were successfully approved by DHS. [CTA Employee 2] was not sure whether any payment was provided to Ty. When asked whether she received any compensation for her D-SNAP assistance, [CTA Employee 2] said that she did not require any of her CTA colleagues to give her anything for her D-SNAP-related efforts, but that [CTA Employee 6] voluntarily wanted to thank her and used her ([CTA Employee 6]) Link card to purchase between \$100 and \$200 worth of goods for [CTA Employee 2] at Nicholas Quality Meats.

H. Interview of DHS Caseworker Gwendolyn Brewer

During her April 4, 2016 interview with OEIG investigators, Ms. Brewer said that she began employment with DHS in July 1999, and from 2005 through 2014, she was assigned to the West Suburban Office as a caseworker. After leaving the West Suburban Office for a different DHS office, Ms. Brewer said that she has worked as a caseworker manager for over two years, supervising a group of six caseworkers.²⁹

1. D-SNAP Training

Ms. Brewer said that she had been involved in D-SNAP benefits issuance programs approximately three times in her DHS career and had received D-SNAP policy training, although she did not recall specifically receiving training in 2013. However, Ms. Brewer identified the signature on the June 2013 “DSNAP Training Attendance Sheet” presented to her by OEIG investigators as hers. When shown a document containing DHS’ June 2013 D-SNAP benefits

²⁸ [CTA Employee 2] said that she applied for D-SNAP benefits in June 2013 in-person at a DHS office in Chicago. [CTA Employee 2] said she received a Link card that contained between \$600 and \$700 in benefits. OEIG investigators did not obtain [CTA Employee 2's] D-SNAP application or review her benefits further.

²⁹ While Ms. Brewer held the title of caseworker manager at the time of her OEIG interview, she worked as a caseworker in June 2013 and thus the OEIG is referring to her as a caseworker in this report.

issuance policies, Ms. Brewer stated that the policies were in place in 2013. Specifically, she acknowledged that she was aware of DHS' policy that D-SNAP applicants had to apply in-person, at a designated DHS facility, prior to the June 2013 D-SNAP benefits issuance period.

2. Processing of D-SNAP Applications

OEIG investigators presented Ms. Brewer with the 22 D-SNAP applications discussed above that appeared to have been processed by Ms. Brewer, including the applications of CTA employees [CTA Employee 8] and [CTA Employee 4]. After reviewing the applications, Ms. Brewer said, "All of them have my signature." Ms. Brewer was asked if she processed the 22 and said, "I'm sure that they are [mine], my signature's on there." When asked whether it was true that she did not process the 22 applications in accordance with regular D-SNAP policies and procedures, Ms. Brewer replied, "Yeah." When asked if she saw any of the 22 applicants in the West Suburban Office, Ms. Brewer said, "No." When asked how she came to process these applications, Ms. Brewer said that she did not remember.

3. D-SNAP Applications Funneled Through [CTA Employee 1]

When asked about her [relative], Ms. Brewer said that she gave one blank June 2013 D-SNAP application to her [relative], [CTA Employee 1]. Ms. Brewer said that she received more than five completed D-SNAP applications and copies of applicant government identifications from her [relative], processed those applications at the West Suburban Office, and then gave the resulting Link cards to her [relative] outside of the West Suburban Office. When asked how she obtained the Link cards to give to [CTA Employee 1], Ms. Brewer said that a West Suburban Office clerk gave her the Link cards. "I can ask for Link cards," she said. "I've always been a person in the office who go and take Link cards to different people."

Ms. Brewer stated that when she processed the applications she received from her [relative], she had no way to verify the information on the applications or the identity of the applicants, nor was there a means for the applicants to ask questions. Ms. Brewer confirmed she would not even have known if the person named on an application she received through her [relative] was deceased. When asked whether she violated DHS policy by processing applications for individuals who did not apply in-person at the West Suburban Office, Ms. Brewer replied, "Yes." Ms. Brewer said she realized that processing the applications she received from her [relative] was wrong and she did not receive authorization to process them as she did. However, she said that at least one other DHS office collected completed June 2013 D-SNAP applications from customers waiting outside the office in line.

When asked if she received anything for processing the applications received from her [relative], Ms. Brewer stated that she did not receive anything and was "just helping people." When asked specifically about the allegation that Ms. Brewer or her [relative] received money in connection with the D-SNAP applications, Ms. Brewer said, "That's not true." Ms. Brewer said she believed the applications given to her by her [relative] were from people who had water damage and "needed help." Ms. Brewer stated that she accepted applications of applicants outside the West Suburban Office, because she was trying to help people and that was the same reason her [relative] gave her those applications.

4. [CTA Employee 1's] And [CTA Employee 3's] D-SNAP Applications

Ms. Brewer said that she received her [relative's] D-SNAP application, but did not check it or look at it, because DHS has a policy of not allowing employees to work on cases of their relatives. She gave [CTA Employee 1's] application to a West Suburban Office clerk to give to another caseworker, she said. When presented with the D-SNAP application materials of [CTA Employee 3's], Ms. Brewer's [relative's wife], bearing Ms. Brewer's signature, Ms. Brewer said that she did not recall processing the application, but given that she signed the application materials she "must have." Ms. Brewer said that she did not know why [CTA Employee 3] used the same address as [CTA Employee 1] on her D-SNAP application, because she believed that in 2013 the two were not getting along and [CTA Employee 3] has her own property. Nonetheless, Ms. Brewer agreed that because [CTA Employee 3] is a member of her family, she should not have processed [CTA Employee 3's] D-SNAP application.

I. Interview Of DHS Caseworker Larry Girtley

During his March 25, 2016 OEIG interview, Mr. Girtley stated he has worked for DHS since July 1999, and he has been a caseworker for approximately 15 years. Mr. Girtley said that in his DHS career he has twice been involved in D-SNAP programs, most recently as a caseworker in the West Suburban Office in 2013.

1. D-SNAP Training

When asked if he received training on the rules and procedures regarding D-SNAP benefits issuance in June 2013, Mr. Girtley stated, "definitely." When shown a document containing DHS' June 2013 D-SNAP benefits issuance policies, Mr. Girtley said that the policies applied to the June 2013 D-SNAP benefit issuance, that he was generally aware of the policies prior to processing D-SNAP benefits in June 2013, and that, specifically, prior to the June 2013 D-SNAP issuance period he was aware of DHS' policy that D-SNAP applicants had to apply in-person, at a designated DHS facility. He also confirmed that he signed the June 2013 "DSNAP Training Attendance Sheet."

2. Processing of D-SNAP Applications

OEIG investigators presented Mr. Girtley with over 50 D-SNAP applications (and related paperwork, including D-SNAP Worksheets and copies of government identifications) that DHS records showed were processed by Mr. Girtley and investigators believed were likely processed in violation of DHS policy.³⁰ These applications included the D-SNAP applications of CTA employees [CTA Employee 7] and [CTA Employee 6]. After reviewing the documents, Mr. Girtley stated that he processed all the applications. Mr. Girtley stated that one of the over 50 applications "stands out, but everything else, I don't remember." Mr. Girtley said that the application stood out because the applicant was the mother of his child.³¹

³⁰ These included the 41 D-SNAP applications uncovered by OEIG investigators and the 12 D-SNAP applications identified by DHS staff.

³¹ The application that stood out to Mr. Girtley was in the name of [redacted].

When asked if he was involved in processing June 2013 D-SNAP applications of applicants who did not appear in-person at the West Suburban Office, Mr. Girtley said, "I might of got like a few applications, you know what I'm saying? I processed them." He continued, "maybe four or five I got, you know, I'm saying, in my stray hand, you know, I'm saying, from a person and I just did . . . that's it though . . . I never received any type of money, nothing." When asked whether these applications were among the over 50 applications shown to him by OEIG investigators that he admitted to processing, Mr. Girtley said that he did not remember.

OEIG investigators asked Mr. Girtley to explain how he processed the four or five June 2013 D-SNAP applications of applicants who did not appear in-person at the West Suburban Office. Mr. Girtley said that he gave the mother of his child some blank D-SNAP applications as a favor. He said that she then brought some completed D-SNAP applications and copies of government identifications to the West Suburban Office when she came to apply for her own D-SNAP benefits. Mr. Girtley said that the mother of his child had to stand in line to get into the West Suburban Office, but that once she got inside the office he brought her to his work area. Mr. Girtley said that he completed and signed D-SNAP Worksheets for the applications funneled through the mother of his child, but denied any involvement in the handling of Link cards for these applicants.

At the end of his OEIG interview Mr. Girtley stated, "I'm sorry . . . I knew it was wrong. I shouldn't have did it"

IV. ANALYSIS

DHS' June 2013 D-SNAP benefits issuance policy was clear. Applicants had to "complete and sign" the D-SNAP application "in person at the [DHS office] servicing the county where they live" and complete a "face-to-face" interview with a DHS caseworker.³² "The interview and eligibility determination are made at the time they are applying for the D-SNAP," the DHS policy stated.³³ DHS staff, the policy stated, should "not distribute blank application forms. Application forms cannot be faxed or mailed at a later date."³⁴

The requirement of completing the D-SNAP application in-person at a designated DHS facility was an important part of the process of obtaining D-SNAP benefits. Having to go to a government facility and meet with a DHS caseworker can discourage and decrease the amount of fraudulent applications submitted to DHS. Even for applicants not intending to falsify an application, the in-person application requirement provided the caseworkers with the opportunity to explain the application requirements and for the applicants to ask questions, thus reducing the chance of false information appearing on applications.

Moreover, while [DHS Administrator] communicated to his caseworkers that he intended for them to remain alert for fraudulent applications, caseworkers were much more likely to follow this instruction with respect to applicants randomly assigned to them through the visitor

³² See DHS Disaster SNAP (DSNAP) Policy Memorandum, June 12, 2013 (on file with the OEIG).

³³ *Id.*

³⁴ *Id.*

log queue than the applications they accepted in violation of DHS policy outside the West Suburban Office. In addition, the in-person application requirement can lessen the risk of identity fraud. In summary, the in-person application requirement helped ensure that taxpayer money went to the people, and in the amount, intended.

A. Gwendolyn Brewer Processed June 2013 D-SNAP Applications In Violation Of DHS Policy

Ms. Brewer was clearly aware of DHS policy regarding the June 2013 D-SNAP issuance. Ms. Brewer told OEIG investigators that she had been involved in several D-SNAP benefits issuance programs prior to June 2013, had attended training about the June 2013 D-SNAP benefits issuance, and was aware of the in-person, face-to-face application policy and the prohibition on accepting applications outside of the DHS office. Nonetheless, Ms. Brewer admitted that she handed a blank D-SNAP application to her [relative], then accepted at least five completed applications from him, processed them, obtained Link cards as a result of those applications, and then gave the Link cards to her [relative]. Ms. Brewer acknowledged that processing applications of individuals who she never serviced at the West Suburban Office violated DHS policy.

Ms. Brewer also admitted that she did not process the 22 applications shown to her by investigators in accordance with the regular DHS policies and procedures and specifically confirmed that she did not see any of those individuals at the DHS West Suburban Office. Ms. Brewer stated that she could not remember the details of these applications. Ms. Brewer denied receiving any compensation for processing these applications, and the OEIG could not prove otherwise. These 22 applications did, however, result in over \$9,900 in D-SNAP benefits being issued in violation of DHS policy. Thus, the allegation that Ms. Brewer processed June 2013 D-SNAP applications in violation of DHS policy is **FOUNDED**.³⁵

B. Gwendolyn Brewer Authorized Benefits For A Relative

DHS policy prohibits employees from both authorizing benefits for relatives and being directly involved in determining eligibility for DHS services for relatives.³⁶ Ms. Brewer told investigators that she was aware of this prohibition, which is why she claimed she had a DHS clerk pass her [relative's] completed D-SNAP application to another West Suburban Office caseworker, but she said that she nonetheless processed the D-SNAP application of her [relative's spouse], [CTA Employee 3]. [CTA Employee 3's] D-SNAP application resulted in \$793 in benefits being issued.

Although Ms. Brewer ultimately agreed that because [CTA Employee 3] is a member of her family, she should not have processed [CTA Employee 3's] D-SNAP application, DHS does not define "relative" in the section that prohibits the authorization of such benefits. Thus, the

³⁵ The OEIG concludes that an allegation is "founded" when it has determined that there is reasonable cause to believe that a violation of law or policy has occurred, or that there has been fraud, waste, mismanagement, misconduct, nonfeasance, misfeasance, or malfeasance.

³⁶ DHS Employee Handbook, §V-10 (2009).

OEIG is referring this to DHS to make a determination whether Ms. Brewer violated section V-10 of the DHS Employee Handbook.

C. Larry Girtley Processed D-SNAP Applications In Violation Of DHS Policy

Mr. Girtley also was clearly aware of DHS policy regarding the June 2013 D-SNAP issuance and went on to violate it. Mr. Girtley told OEIG investigators that he had been involved in several D-SNAP benefits issuance programs prior to June 2013, had attended training about the June 2013 D-SNAP benefits issuance, and was aware of the in-person, face-to-face, application policy and the prohibition on accepting applications outside of the DHS office.³⁷ Even with this understanding, Mr. Girtley admitted that he gave some blank D-SNAP applications to the mother of his child and then processed four or five such applications when she gave them back to him.

Mr. Girtley also admitted that he processed the applications of CTA employees [CTA Employee 7] and [CTA Employee 6]. Those employees, however, told the OEIG that they did not apply for benefits at the West Suburban Office, but through a CTA colleague, [CTA Employee 2], who confirmed what [CTA Employee 7] and [CTA Employee 6] stated. [CTA Employee 7's] application did not have markings on the application indicating that it had been processed in the proper procedure similar to the majority of the other 50 D-SNAP or more applications identified by investigators. In addition, the applicants of the approximately 50 additional D-SNAP applications were not recorded in the visitor log of the West Suburban Office. It is reasonable to conclude that these additional 50 applications, the vast majority of which did not contain the appropriate markings, were processed without the applicant being present at the DHS office and thus were processed in violation of DHS policy. While the OEIG appreciates that Mr. Girtley was "sorry" and "knew it was wrong" for him to process applications in violation of DHS policy, the over 50 of Mr. Girtley's applications uncovered by OEIG investigators resulted in the issuance of over \$38,000 in D-SNAP benefits.

Thus, the allegation that Mr. Girtley processed June 2013 D-SNAP applications in violation of DHS policy is **FOUNDED**.³⁸

D. CTA Employees' Conduct

Throughout this investigation, the OEIG found evidence that CTA employees [CTA Employee 1] and [CTA Employee 2] obtained money and gifts in exchange for facilitating other CTA employees' submission of D-SNAP applications to DHS. These employees pocketed benefits that were meant for disaster victims and available to those victims for free at a DHS facility. With the help of Ms. Brewer and Mr. Girtley, they also made it possible for some applicants to not have to abide by the rules that everyone else followed. In addition, there are a

³⁷ See DHS Disaster SNAP (DSNAP) Policy Memorandum, June 12, 2013 (on file with the OEIG).

³⁸ Mr. Girtley's processing of the application of his child's mother also may possibly implicate DHS' policy on authorizing benefits for relatives. However, as noted above, DHS does not define "relative" in the relevant policy. Thus, the OEIG is also referring this to DHS to determine whether Mr. Girtley violated section V-10 of the DHS Employee Handbook.

number of CTA employees who, under the penalty of perjury, submitted D-SNAP applications and received benefits based on D-SNAP applications that contained false information. While these actions violate DHS policy, these individuals are not DHS employees. CTA, however, does have a policy that prohibits CTA employees from engaging in conduct unbecoming an employee.³⁹ Thus, the OEIG is referring this matter to the CTA for it to determine whether any disciplinary action is appropriate with regard to its employees' conduct identified in this case.

V. FINDINGS AND RECOMMENDATIONS

As a result of its investigation, the OEIG concludes that there is **REASONABLE CAUSE TO ISSUE THE FOLLOWING FINDINGS:**

- **FOUNDED** – Gwendolyn Brewer processed June 2013 D-SNAP applications in violation of DHS policy.
- **FOUNDED** – Larry Girtley processed June 2013 D-SNAP applications in violation of DHS policy.

The OEIG recommends that DHS terminate Mr. Girtley and Ms. Brewer. The OEIG also recommends that CTA take whatever action it deems appropriate with respect to the conduct of its employees who improperly applied for, or facilitated the processing of, D-SNAP benefits.

No further action is necessary and this matter is considered closed.

Date: **August 26, 2016**

Office of Executive Inspector General
for the Agencies of the Illinois Governor
69 West Washington Street, Ste. 3400
Chicago, IL 60602

By: **Daniel Ostrovsky, #105**
Assistant Inspector General

James Kosik, #131
Investigator

³⁹ Chicago Transit Authority General Rule Book, §14(e) (2014).



Bruce Rauner, Governor

James T. Dimas, Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

September 12, 2016

*Via e-mail to Fallon Opperman, Deputy Inspector General and Chief of Chicago Division,
on behalf of:*

Maggie Hickey

Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Response to the Final Report for Complaint 13-01358

Dear Executive Inspector General Hickey:

This letter responds to the Final Report for Complaint Number 13-01358, attached. The Report details improprieties with respect to Disaster Supplemental Nutrition Assistance Program benefits by two Department of Human Services (DHS) employees. The Report recommended employment termination for both employees. The recommendations are being followed.

While DHS has started discharge procedures, the Collective Bargaining Agreement specifies a disciplinary process, which includes certain meetings, rebuttal periods and grievance periods. As you may know, the process could take some time to complete. As the process moves along, DHS will update your office. If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

James T. Dimas
Secretary



Office of Executive Inspector General
for the Agencies of the Illinois Governor
www.inspectorgeneral.illinois.gov

**AGENCY OR ULTIMATE JURISDICTIONAL AUTHORITY
RESPONSE FORM**

Case Number: 13-01358

Return 20 Days After Receipt

Please check the box that applies. (Please attach additional materials, as necessary.)

☐ We have implemented all of the OEIG recommendations. Please provide details as to actions taken:

☒ We will implement some or all of the OEIG recommendations but will require additional time to do so.
We will report to OEIG within 45 days from the original return date.

☐ We do not wish to implement some or all of the OEIG recommendations. Please provide details as to what actions were taken, if any, in response to OEIG recommendations:

Robert Smith
Signature

Robert Smith

Print Name

Chicago Transit Authority
Chief Transit Officer

Print Agency and Job Title

October 3, 2016

Date



TO: Office of Executive Inspector General

FROM: Jeff Hulbert
Senior Manager, Regulatory Compliance

DATE: January 18, 2017

RE: OEIG Case No. 13-1358– FINAL REPORT
RESPONSE REQUIRED

The above-referenced final report ("Final Report") suggests that CTA employees may have engaged in inappropriate off-duty conduct in relation to applications for June 2013 Disaster Supplemental Nutrition Assistance Program (D-SNAP) benefits. Specifically, the OEIG asserts that seven CTA employees provided inaccurate information on their June 2013 D-SNAP applications, five additional employees and one former employee may have done so, and two CTA employees accepted cash or other consideration for facilitating the processing of D-SNAP benefits. The Final Report includes a recommendation that CTA "take whatever action is appropriate with regard to its employees' conduct identified in this case." The Final Report also includes two findings against Illinois Department of Human Services ("DHS") employees and recommends that DHS terminate those employees.

The Final Report Does Not Include Information Regarding Any Work-Related Conduct of CTA Employees

The Final Report does not include any findings against CTA employees, nor does it describe any conduct that is related to the work of CTA employees. Like other employers, CTA's policies govern the conduct of its employees with relation to their work as CTA employees while they are on-duty. CTA has extremely limited authority to discipline, govern, or otherwise regulate employees' off-duty conduct. Consequently, despite the manner in which the Final Report frames and references the conduct of CTA employees in this case, it does not describe any conduct which could be construed as actionable by CTA, nor does it recommend that the CTA take any specific action with respect to employee discipline.

Additional Correspondence between the OEIG and CTA

On December 2, 2016, CTA submitted a letter to the OEIG conveying that, due to the absence of on-duty or work-related misconduct by CTA employees, CTA was inappropriately designated as an Ultimate Jurisdictional Authority ("UJA") in this case and, as such, the information regarding CTA employees was not suited for inclusion in a Final Report. The letter also conveyed that, for the same reasons, CTA was unable to take action in response to the Final Report. In order to appropriately limit the content of the Final Report to the actual findings of proven work-related misconduct by two DHS employees, the letter requested that the OEIG consider amending the Final Report in a manner that removed discussion of CTA and its employees.

On December 13, 2016, the OEIG responded to CTA with a letter which conveys that the OEIG “understands CTA’s limitations in taking disciplinary action against its employees for their off-duty and/or non-work related conduct.” However, despite an acknowledgement of the legitimacy of those legal limitations, the OEIG “does not agree with CTA’s interpretation of the Ethics Act” and thus declined to amend the Final Report as requested.

The letter does not specify which part of the Ethics Act the OEIG disagrees with or provide any rationale in support of its disposition. Despite that, between the OEIG’s acknowledgment of CTA’s limitations and the insistence on maintaining this information regarding CTA employees in the Final Report, it stands to reason that the OEIG understands its ability to issue Final Reports with information included in them to be unconstrained by whether or not a subject UJA is able to take action.

CTA acknowledges that OEIG investigations may involve inquiries into some types of off-duty and/or non-work related conduct. However, as stated in its December 2, 2016 letter, CTA does not believe that the forum for conveying information gleaned from such inquiries to be a Final Report when that information is either inconclusive or otherwise assessed to *not* have a nexus to an individual’s employment with, or duties for, the CTA.

CTA’s Request to the Executive Ethics Commission for Guidance

CTA maintains the position that the Ethics Act does not permit the OEIG’s oversight role to extend into and over the personal lives of state or Rail Transit Board employees. In fact, CTA believes that Illinois Administrative Code presumes that Final Reports are issued *only* in cases when the UJA is able to implement the recommendations for corrective action that are contained in the Final Report.¹ If the conduct contained in the Final Report is outside the scope of CTA’s authority to take action on, then it is also, by definition, outside the scope of material appropriate for a Final Report.

Based on the differing interpretations regarding the OEIG’s oversight role and breadth, CTA respectfully requests that the Executive Ethics Commission exercise its statutory authority to provide guidance and issue recommendations with regard to the implementation and interpretation of the Ethics Act as well as the rules governing the material that is appropriate to include in a Final Report.²

Finally, based on the same logic articulated in CTA’s December 2, 2016 letter, if the Final Report is ultimately published by the Executive Ethics Commission, then CTA maintains its request that the discussion of CTA and its employees be removed prior to its publication (either by redaction or amendment).

No further action will be taken on this matter, and CTA considers this complaint closed.

cc: Michael McLaughlin
Sylvia Garcia

¹ Section 1620.1000(b) of the Illinois Administrative Code states that “the appropriate UJA or agency head shall respond to the summary report within 20 days, in writing, to the Executive Inspector General...the response shall include a description of any corrective action or disciplinary action to be imposed.”

² See 5 ILCS 430/20-15. The State Ethics Act empowers the Executive Ethics Commission to “make rulings [and] issue recommendations... in connection with the implementation and interpretation of this Act” (subsection 6) and to “promulgate rules... governing the investigations of the Executive Inspectors General.” (subsection 1).



Bruce Rauner, Governor

James T. Dimas, Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

August 17, 2017

*Via e-mail to Fallon Opperman, Deputy Inspector General and Chief of Chicago Division,
on behalf of:*

Maggie Hickey

Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Updated Response to the Final Report for Complaint 13-01358

Dear Executive Inspector General Hickey:

This letter updates your office regarding the Final Report for Complaint Number 13-01358. That Report details improprieties with respect to Disaster Supplemental Nutrition Assistance Program benefits by two Department of Human Services (DHS) employees. Through the disciplinary process, both employees were permitted to resign. Effective August 15, 2017, both employees have resigned. Because all personnel activity is now concluded, DHS considers this matter closed. If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

James T. Dimas⁶
Secretary